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EXAMINER

CHUONG, TRUC T

ART UNIT

PAPER NUMBER

2179

DATE MAILED: 05/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/772,759

Applicant(s)

KUMAR ET AL.

Examiner

Truc T Chuong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 January 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-51 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-51 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

This communication is responsive to RCE, filed 02/20/05.

Claims 1-51 are pending in this application. Claims 1, 10, 21, 32, and 38 are independent claims. This action is made non-final.

Claim Rejections - 35 USC § 101

1. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

2. Claims 32-37 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter as not being claimed correctly. The "computer code" cannot be statutory because the "computer code" by itself is not being tangible. Claims 33-37 are also rejected because of their dependency. An appropriate correction is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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4. Claims 1-51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Austin et al. (U.S. Patent No. 5,500,934) in view of Pickett (U.S. Patent No. 6,154,465).

As to claims 1 and 32, Austin teaches a method of presenting to a user a visual representation of a network device laid out in a matrix of blocks laid out in a matrix of pins, the network device resident at a central office of a system, the method comprising:

accessing a database including data as to a current condition of the network device (a visual image of hardware models, e.g., col. 5 lines 40-50, col. 11 lines 20-33, and figs. 5, 11, 13, 14 & 16), the data including data indicating which pins in the network device are currently in use and which pins in the network device are available for use (e.g., col. 11 lines 38-54, col. 13 lines 49-67, and figs. 5 and 16 show pins/slots/connectors/jacks are in use and “?” of fig. 5 and “disconnect from” of fig. 16 are still available);

displaying, based on the accessed data, a graphical representation of the network device, the graphical representation including a visual indication of the current condition of the network device including a visual indication of a plurality of pins currently in use and a visual indication of a plurality of pins available for user (e.g., col. 11 lines 38-54, col. 13 lines 49-67, and figs. 5 and 16); and

allowing a user to interface with the graphical representation to effect a mapping between available pins on the network device and telecommunications lines leading to and from the network device (e.g., col. 8 lines 20-50, and fig. 3);

however, Austin does not clearly teach that the network device is a telecommunication frame of a telephone company. Pickett clearly shows a chassis view (frame) structure of a telephone telecommunication network company (e.g., col. 1 lines 43-46, col. 41 lines 29-56, and

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fig. 16A). It would have been obvious to a person of ordinary skill in the art at the time of the invention to have the telecommunication frame structure of Pickett in the visual image network of Austin to provide more spaces for the user in order to hookup wide variety of devices.

As to claim 2, Austin in view of Pickett teaches a method according to claim 1, wherein the displaying step displays the graphical representation of the frame in response to the user specifying a particular frame from a particular central office in the telecommunications system (e.g., col. 13 line 49-col. 14 line 24).

As to claim 3, Austin in view of Pickett teaches a method according to claim 2, wherein the frame is made up of constituent blocks and the displaying step may display a particular block from a specified frame in response to the user's entry of coordinates for the block (When individual port 162 is selected, screen graphics 132 of FIG. 15, illustrating the selectable async port parameters, is displayed as indicated in FIG. 8C, e.g., col. 14 lines 5-7).

As to claim 4, Austin in view of Pickett teaches a method according to claim 1, wherein the allowing step further allows the user to modify attributes of the selected frame (Once a connection is selected, all the associated parameters and/or pictographic connection data is displayed for user review/modification. This is shown in FIG. 7. Users repeat this until all connectivity is defined. As each new connectivity option is defined, the connectivity summary screen is updated, e.g., col. 11 lines 59-64).

As to claims 5, 6, and 33-35, Austin in view of Pickett teaches a method according to claim 1, wherein the graphical representation of the frame displayed at the displaying step (note the rejection of claim 1 above); however, Austin does not teach the display step includes a first Web page showing a frame of a selected central office laid out as a matrix of constituent blocks.

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Pickett clearly teaches the communication system 50 utilizes its web-based management for remote configuration, diagnostics, and health monitoring, remote software upgrades, rapid installation, customizable management levels to the telecommunication frames for easier monitoring and access of multiple hardware located at anywhere in the Network System (e.g., col. 7 lines 20-40).

As to claim 7, modified Austin teaches a method according to claim 6, wherein the allowing step allows the user to assign a jumper from a port on a switching card to an available pin (e.g., col. 11 lines 16-41, and figs. 13 & 16).

As to claims 8 and 36, Austin in view of Pickett teaches a method according to claim 1, further comprising the step of allowing the user to add a new frame at a selected central office of the telecommunications system (Add New Connection, e.g., col. 11 lines 53-58).

As to claims 9 and 37, Austin in view of Pickett teaches a method according to claim 8, wherein the user can specify a number of modules, shelves, and blocks per shelf for an added new frame (The hardware view of the personal computer and its associated slots immediately demonstrates to the user the maximum number of interface cards possible (in this case, seven), the number currently configured (in this case, seven), as well as the installed card types, e.g., col. 13 lines 49-65).

As to claim 10, this is a program product claim of method claim 1. Note the rejection of claim 1 above.

As to claim 11, Austin in view of Pickett teaches a program storage device according to claim 10, wherein the code further comprises the database interface code, and the database interface code comprises a common gateway interface (CGI) application (The OpenView and

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Node Manager utilizes free-form graphics for representing each node in the network and its various interconnections with the remaining nodes in the network. The representation of each network element may be positioned anywhere on the computer screen by the user and, at any time, be selected for a display of the element's network interconnect status. IBM's LAN Network Manager employs a similar free-form graphical representation of the network for monitoring purposes, e.g., col. 2 lines 36-44).

As to claim 12, Austin in view of Pickett teaches a program storage device according to claim 10, wherein the code further comprises the database interface code (The viewbox acts as a mechanism to allow the user to access relevant details associated with any given box. In the present application, the boxes represent local area network (LAN) to LAN wide area network (WAN) program servers (LTLWs) such as personal computers running such programs, e.g., col. 7 lines 1-7); however, Austin does not teach the database interface code comprises a Java servlet. Pickett clearly teaches of using a Java client and server (Java servlet) in his invention (e.g., col. 40 lines 50-55).

As to claims 13-15, they are program product claims of method claims 2-4. Note the rejections of claims 2-4 above respectively.

As to claims 16-18, they are program product claims of method claims 5-7. Note the rejections of claims 5-7 above respectively.

As to claims 19-20, they are program product claims of method claims 8-9. Note the rejections of claims 8-9 above respectively.

As to claims 21-22, they are system claims of program product claims 10-11. Note the rejections of claims 10-11 above respectively.

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As to claim 23, it is a system claim of program product claim 12. Note the rejection of claim 12 above.

As to claims 24-26, they are system claims of program product claims 13-15. Note the rejections of claims 13-15 above respectively.

As to claims 27-29, they are system claims of program product claims 16-18. Note the rejections of claims 16-18 above respectively.

As to claims 30-31, they are system claims of program product claims 19-20. Note the rejections of claims 19-20 above respectively.

As to claims 38-41, they are apparatus claims of method claims 1-4. Note the rejections of claims 1-4 above respectively.

As to claims 42-44, they are apparatus claims of method claims 5-7. Note the rejections of claims 5-7 above respectively.

As to claims 45-46, they are apparatus claims of method claims 8-9. Note the rejections of claims 8-9 above respectively.

As to claims 47, 50 and 51, Austin teaches a method according to claim 6, wherein the allowing step allows the user to assign a jumper from an available pin to an outside plant feeder (e.g., col. 8 lines 20-47, and fig. 3).

As to claim 48, it is a program product claim of method claim 47. Note the rejection of claim 47 above.

As to claim 49, it is a system claim of the program product claim 48. Note the rejection of claim 48 above.

Response to Arguments

1. Applicant's arguments with respect to claims 1-51 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

2. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

DeBortoli (U.S. Patent No. 4,497,411) teaches telecommunication system and frames, cables and connectors (cols. 1-4 and figs. 1 & 10).

Orlando (U.S. Patent No. 5,788,087) teaches telecommunication frame, phone lines, brackets, wires, connections, and slots (cols. 1-4 and figs. 1-3).

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Truc T Chuong whose telephone number is 571-272-4134. The examiner can normally be reached on M-Th and alternate Fridays 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather R. Herndon can be reached on 571-272-4136. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Truc T. Chuong

04/29/05


BA HUYNH
PRIMARY EXAMINER